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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/715,765

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Robert E. Sinclair II

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EXAMINER

SAINT CYR, LEONARD

ART UNIT

PAPER NUMBER

2626

NOTIFICATION DATE

DELIVERY MODE

12/08/2009

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary	Application No. 10/715,765	Applicant(s) SINCLAIR, ROBERT E.	
	Examiner LEONARD SAINT CYR	Art Unit 2626	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 August 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 24, 26, 32, 45, 46 and 48 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 24, 26, 32, 45, 46, and 48 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 November 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 24, 26, 32, 45, and 46 have been considered but are moot in view of the new ground(s) of rejection.

Applicant argues that Ron does not teach an ACE engine that work in parallel with other applications monitoring sensors and user input devices; continually monitor sensors and input devices (Amendment, pages 6 – 8).

2. Applicant's arguments with respect to claim 48 have been considered but are moot in view of the new ground(s) of rejection.

Applicant argues that Roskind et al., do not teach detecting anxiety and automatically and automatically disabling configuration options accordingly (Amendment, page 8).

Claim Rejections - 35 USC § 103

3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

4. Claims 24, 26, 32, 45, and 46 are rejected under 35 U.S.C. 103(a) as being unpatentable over Roskind et al., (US PAP 2004/0127198) in view Ron (US Patent 5,647,834), and further in view of Grunwald et al., (US PAP 2002/0173721).

As per claims 24, Roskind et al., teach one or more computer- readable media having executable instructions stored thereon that, when executed by a computing device, implement a method comprising:

storing a preferences and settings database that stores user preferences and settings (paragraph 20);

executing an adaptive computing environment (ACE) engine on the computing device, the ACE engine continually monitoring data from sensors of the computing device to detect changes in environment of the computing device ("**monitors one or more environmental conditions, such as motion, light sound...based on a preference of a user**"), the environment including a user of the computing device, the ACE engine, in accordance with the monitoring, altering the preferences and settings and controlling features of the arbitrary applications that the user interacts with, the ACE engine executing separately from the arbitrary applications and the computing device according to the preferences and settings database, wherein the ACE engine comprises an application separate from the application ("**the types of automatic notification mode changes used may be based on a preference of a user. User preferences for the types of the notification mode changes to be made may be user-selectable or user-configurable, through the use of an Internet protocol (IP) interface or otherwise**"; Abstract, paragraphs 19 – 21, and 32 – 34);

providing a user interface, the user interface for displaying windows for different applications ("an interface that provides a calendar for the ease of identifying times... a business meeting may be identified using a calendar interface"; paragraph 68);

However, Roskind et al., do not specifically teach detecting when an anxiety level of the user has increased; simplifying the plurality of features provided to the user in response to the detected increased level of user anxiety, the simplifying comprising removing from one of the arbitrary applications configuration options that are settable by the user to configure behavior of the application, the advanced configuration options comprising user interface components that can be manipulated by the user affected behavior of the application, the removing comprising causing advanced configuration options to not be settable by the user thereby preventing the user from setting the configuration options by the user.

Ron discloses that while some audio-visual signals can evoke fear, the subject can feel fear or anxiety as interpreted from heart rate changes. However, his speech characteristic might not show the typical moderate increase in pitch associated with anxiety but, rather, a much faster speech rate associated with fear. The subject can learn to control his fears, thereby reducing his heart rate and thus changing the content, wholly or partially, of the audio-visual scenario to a relaxed one (col.7, lines 30 – 38).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to control fear or anxiety of a user as taught by Ron in Roskind et al., so that the user can, by changing his voice, modify the audio-visual scenario so as to reflect fear, if he so wishes (col.7, lines 39, and 40).

However, Roskind et al., in view of Ron do not specifically teach the simplifying comprising removing from one of the arbitrary applications configuration options that are

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settable by the user to configure behavior of the application, the advanced configuration options comprising user interface components that can be manipulated by the user affected behavior of the application, the removing comprising causing advanced configuration options to not be settable by the user thereby preventing the user from setting the configuration options by the user.

Grunwald et al., teach that in order to minimize the time for setting up and configuring the system the user interface may provide for application and/or user dependent presets, which are optimized based on several factors (e.g., user behavior) [**minimizing the time for setting up and configuring the system the user interface, which are optimized based on user behavior** suggests configuration options to not be settable by the user thereby preventing the user from setting the configuration options by the user; paragraph 22, lines 1 – 5].

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to configure the system user interface based on user behavior as taught by Grunwald et al., in Roskind et al., in view of Ron, since it may be desirable in devices the user interface allows for quick and efficient interaction supported intelligent user interface behavior, context sensibility...and the ability to self adapt to user behavior (Grunwald et al., paragraph 12, last six lines).

As pr claim 26, Roskind et al., in view of Ron, and further in view of Grunwald et al., further disclose determining whether the user wants the plurality of features to be simplified (Grunwald et al., paragraph 16).

As pr claims 32, and 45, Roskind et al., in view of Ron, and further in view of Grunwald et al., further disclose that the anxiety level is detected via a galvanic skin response strip (Ron, col.2, line 15).

As pr claim 46, Ron in view of Grunwald et al., further disclose simplifying further comprising displaying a hint, wizard, or help assistant (paragraph 178).

As per claim 48, Roskind et al., teach one or more computer-readable storing information to enable a computer to perform a process, the process comprising:

storing a database of user preferences/settings (paragraph 20);

monitoring an environmental state of the computer, the environmental state comprising information indicating levels of ambient light and sound received by the computer from its local environment, the environment state further comprising information about peripheral devices attached to the computer, the environmental state further comprising inferences about a user or output needs derived from detecting patterns of use of an input device of the computer when using a plurality of arbitrary applications ("monitors one or more environmental conditions, such as motion, light sound...based on a preference of a user"; Abstract);

responsive to detected changes of the monitored environmental state, displaying user interface components configured to indicate respective preferences/settings corresponding to respective detected changes of the monitored environment state, and

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storing the indicated preferences/settings in the database of user preferences/settings
("the types of automatic notification mode changes used may be based on a preference of a user. User preferences for the types of the notification mode changes to be made may be user-selectable or user-configurable, through the use of an Internet protocol (IP) interface or otherwise"; paragraphs 19 – 21, and 32 – 34);

providing the stored user preferences/settings to arbitrary applications outputting audio and/or graphical data, the applications adapting how they render the audio and/or video data in accordance with the stored user preferences/settings ("In some implementations, the notification configuration information also may include user preferences for activating or deactivating particular notification modes for particular types of environmental conditions"; paragraph 34);

providing the stored user preferences/settings to arbitrary applications receiving input from the user, the applications adapting how they receive or interpret user input according to the stored user preferences/settings ("The I/O port 218 enables communication with a remote computing device through the use of a cable or a cradle connection. In some implementations, an alternative or additional I/O port may enable wireless communications with another computing device"; paragraph 32).

Roskind et al., do not specifically teach according to the monitored environmental state and the inferences about a user's input, detecting user anxiety and in response automatically disabling advanced configuration options of one or more of the arbitrary applications such that functionally of the application is disabled.

Ron discloses that while some audio-visual signals can evoke fear, the subject can feel fear or anxiety as interpreted from heart rate changes. However, his speech characteristic might not show the typical moderate increase in pitch associated with anxiety but, rather, a much faster speech rate associated with fear. The subject can learn to control his fears, thereby reducing his heart rate and thus changing the content, wholly or partially, of the audio-visual scenario to a relaxed one (col.7, lines 30 – 38).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to control fear or anxiety of a user as taught by Ron in Roskind et al., so that the user can, by changing his voice, modify the audio-visual scenario so as to reflect fear, if he so wishes (col.7, lines 39, and 40).

However, Roskind et al., in view of Ron do not specifically teach automatically disabling advanced configuration options of one or more of the arbitrary applications such the functionality of the applications is disabled.

Grunwald et al., teach that in order to minimize the time for setting up and configuring the system the user interface may provide for application and/or user dependent presets, which are optimized based on several factors (e.g., user behavior) [paragraph 22, lines 1 – 5].

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to configure the system user interface based on user behavior as taught by Grunwald et al., in Roskind et al., in view of Ron, since it may be desirable in devices the user interface allows for quick and efficient interaction

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supported intelligent user interface behavior, context sensibility...and the ability to self adapt to user behavior (Grunwald et al., paragraph 12, last six lines).

Conclusion

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **LEONARD SAINT CYR** whose telephone number is (571) 272-4247. The examiner can normally be reached on Mon- Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richemond Dorvil can be reached on (571) 272-7602. The fax phone

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number for the organization where this application or proceeding is assigned is (571)-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or (571)-272-1000.

LS

11/25/09

/Richemond Dorvil/
Supervisory Patent Examiner, Art Unit 2626